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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,342	02/28/2002	Jin-Gyo Seo	1293.1317	5599

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EXAMINER

LEUNG, QUYEN PHAN

ART UNIT	PAPER NUMBER
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2828

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,342

Applicant(s)

SEO, JIN-GYO

Examiner

Quyen P. Leung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/15/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 11 last paragraph, filed 2/4/2004, with respect to claims 1-47 have been fully considered and are persuasive. The rejection of Ohtomo has been withdrawn.

Response to Amendment

2. In response to applicant's amendment filed 2/4/2004, claim 44 has been amended. Claims 1-47 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-38, 45-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Samsung (registration # 10-0200819, Korean Patent publication #1995-00200490). As discussed in the English language abstract, Samsung discloses a sampling circuit (sample/hold unit) sampling the output (as sensed by the photodiode) of the laser diode at a predetermined frequency (at rising edge of data in write mode and at falling edge in read mode) and generating a sampled signal (output of the sample/hold unit); and an arithmetic unit (processor) receiving the sampled signal (output of the sample/hold unit), generating a control power value (difference between the monitoring result and a predetermined value) applied to the laser diode in response to the sampled signal

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(output of the sample/hold unit), and modifying (adjusting the optical level based on the difference) the output (optical level) of the laser diode in response to the control power value (difference).

5. Claims 39-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamashita et al (5,111,447). Yamashita discloses a laser diode (2) and a controller (6,7) receiving (via 6) and controlling (via 7) the output (via 12), the controller and the laser being included in one integrated circuit (see figure 2).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita et al (5,111,447). Yamashita has been discussed above but is silent about the sampling circuit. Examiner asserts that a sampling circuit is extremely well-known, for advantageously maintaining constant luminous power. It would have been obvious to one of ordinary skill in the art to modify Yamashita by employing a sampling circuit, as is well-known, so as to advantageously maintaining constant luminous power.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yoshida et al (5,446,719) teaches an optical information recording apparatus; Shinbayashi et al (JP 62-149033 and 4,855,988) discloses an

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optical information recording and reproducing device; Kobayashi et al (4,796,250) teaches an optical recording and reproducing apparatus; and van der Put (4,685,097) teaches a power control system for a semiconductor laser.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quyen P. Leung whose telephone number is (571)272-1943. The examiner can normally be reached on 9-5:30, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571)272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quyen P. Leung
Primary Examiner
Art Unit 2828

QPL